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October 1, 2012

By ECF and Facsimile

The Honorable I. Leo Glasser  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

**LETTER APPLICATION FOR  
SCHEDULING ORDER**

Re: *In re Motion to Unseal 98-CR-1101<sup>1</sup>* 12-MC-150 (Glasser, J.)

Dear Judge Glasser:

I write on docket 12-MC-150 in behalf of movant Lorienton Palmer and on docket 98-CR-1101 in my own behalf, although I do not believe docketing of these events on 98-CR-1101 is correct<sup>2</sup>.

In view of the court's decision to adjourn, I respectfully request the court issue the enclosed proposed scheduling order, or some version thereof, to make best use of time. Given the simplicity I ask the court deem this request as satisfying FRCP 7.1.

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<sup>1</sup>*United States v. Felix Sater*, Criminal Docket No. 98-1101 (ILG)

<sup>2</sup> I ask the Court direct a clerk to cross-docket the government's September 28, 2012 letter and enter this order on 12-MC-150 (the proposed order requests all parties from now on do the same), it will save a lot of aggravation as, for one thing, Mr. Lerner should respond in my personal behalf on 12-MC-150 and I have to respond on Palmer's personal behalf on 12-MC-150 and one could well argue they belong only there anyway as that docket was made for unsealing issues and no one is filing anything under seal on 98-CR-1101, everything is being posted online on PACER, anyway, and it seems wrong to file judicial documents off docket from the one where parties affected are represented by counsel.

For example, some of the documents the government would not unseal as stated in its letter of September 28, 2012, Exh. A, relate to permission for Sater to travel. I am highly inclined not to oppose, that is, to withdraw without prejudice those parts of our motions that would otherwise request these be unsealed.

Since this type of collaboration is likely to save substantial judicial and attorney effort, we propose the attached order.

/s/ Frederick M. Oberlander

/s/ Frederick M. Oberlander, Esq.  
Counsel for Lorienton Palmer

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
IN RE APPLICATION TO UNSEAL THE  
DOCKET AND CONTENTS THEREOF  
IN 98-CR-1101

SCEDULING ORDER

12-MC-150

-----X  
**IT IS ORDERED**, this date October 1, 2012, that:

**First**, all filings that request Article III action in respect of, or are otherwise related to, the unsealing of the docket and records referenced thereon or otherwise properly subject to this court's order August 27, 2012 in *United States v. Sater*, 98-CR-1101, including without limitation those filings contemplated by the provisions of this order below, shall be made on the docket created for such purpose, *In re Unsealing of 98-CR-1101*, which is docket 12-MC-150.

**Second**, each party movant and respondent are to have exchanged with each other and filed with the court no later than 12.00 noon Friday, October 5, a list of those records as to which (1) the party does not object to unsealing; (2) the party objects to full unsealing but consents to partial (redacted) unsealing; and (3) the party objects to unsealing; and as to (2) and (3) shall briefly state in those filings the facts of and reasons for their objections (e.g., explain the compelling interest asserted).

**Third**, Movants are requested, if and to the degree time permits in recognition of the coming legal holiday on Monday, October 8, to file by 9:00 AM Tuesday, October 9, 2012, to file and give to respondents a summary of these positions, grouped into (1) the set of all documents to which no one objects to unsealing; (2) the set of all documents to which respondent(s) wish partial unsealing; and (3) the set of all documents to which respondent(s) wish complete sealing.

SO ORDERED on \_\_\_\_\_

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I. Leo Glasser  
Federal District Judge, E.D.N.Y.